

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

“DJ,” A MINOR, BY AND THROUGH HIS NEXT FRIEND  
AND MOTHER, ROBIN HUGHES, AND HIS NEXT FRIEND  
AND FATHER, QUENTIN JOHNSON,

Plaintiff,

Case No. 3:19-cv-00905-MHL

v.

SCHOOL BOARD OF HENRICO COUNTY, *et al.*,

Defendants.

**CONSENT ORDER**

Upon the parties Joint Motion for a Consent Order, and for good cause shown, it is hereby ORDERED that:

1. To comply with 20 U.S.C. §1232g (b)(1)(J) and 34 C.F.R. 99.31(a)(9)(i), the Court orders Defendants to produce any student records necessary for compliance with discovery requests propounded by the Plaintiffs in this case as required by the Federal Rules of Civil Procedure.

2. All such records received by the Plaintiffs will be considered confidential and may be disclosed only to the following persons for use in this litigation:

A. Counsel of record, and all attorneys, paralegal assistants, stenographic, and clerical employees working under the supervision of such counsel;

B. Persons not employed by the parties who are specifically requested to assist counsel in the preparation of this litigation for trial, with disclosure only to the extent reasonably necessary or useful to perform such work;

C. Any person employed by the parties who is designated by such parties to assist counsel in the preparation of this litigation for trial, with disclosure only to the extent reasonably necessary or useful to perform such work;

D. The Court;

E. Expert witnesses; and

F. Any person counsel for the parties have previously agreed to in writing.

3. The persons described in paragraphs 2(A)-(F) are enjoined from disclosing confidential materials to any other person, except in conformance with this Order.

4. In the event counsel for any party or non-party determines that it is necessary to file any document that contains confidential student information with the Court in support of a pleading, motion, brief, or any other paper or exhibit, or to make reference to such material or information, a motion to seal such documents shall be filed pursuant to the Federal Rules of Civil Procedure and the Local Rules of the Eastern District of Virginia. If the Court denies the motion to seal, the party may file the document notwithstanding the provisions of this Order. In such a case, the confidential information shall be redacted, if feasible and practical. In addition, individuals will be referred to by their initials only.

5. Nothing in this Order shall prevent any party from using confidential documents at the trial of this action. Before commencement of the trial, the parties shall discuss how confidential documents shall be used and apprise the Court of any issues in that regard. Confidential documents that are not admitted into evidence shall continue to retain the protections of confidentiality set out in this Order.


6. Any parties added to this litigation are also bound by this Order, and it is the obligation of the party adding such parties to make sure that such parties have received a copy of

the Order at the commencement of the added parties' status as parties. No party shall provide confidential documents or information to any added parties unless and until confirmation is made that the added parties have received a copy of this Order.

7. The protections provided in this Order shall apply solely to this action but shall not terminate upon a resolution of this matter but shall continue until further order of this Court.

It is so ORDERED.

Entered this 16 day of December, 2020.

/s/   
M. Hannah Lauck  
~~United States District Judge~~

The Honorable M. Hannah Lauck  
United States District Judge

WE ASK FOR THIS:

/s/ Daniel Zemel

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